

NOV 19 2004



9360 Towne Centre Drive
San Diego, CA 92121
858-552-2200
858-552-1936 (FAX)

FACSIMILE TRANSMISSION

TO: U.S. Patent & Trademark Office
Art Unit 1645
Examiner S. Devi
FAX NO.: (703) 872-9306

FROM: Mi K. Kim
PHONE NO.: (858) 458-8494
FAX NO.: (858) 552-1936

cc: Milan Vinnola, Arnold & Porter
FAX NO.: (202) 942-5999

DATE: November 19, 2004

RE: Serial No. 09/445,517

Number of pages being transmitted (including this cover sheet): 23
including:
Fee transmittal (1 page in duplicate); and
Supplemental Amendment (20 pages)

If you do not receive all of the pages, please call Mi Kim at 858 458 8494. Thank you.

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PTO/5B/17 (10-03)

Approved for use through 07/31/2008. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL
for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT**

(\$ 70.00)

Complete If Known

Application Number	09/445,517
Filing Date	December 6, 1999
First Named Inventor	Duft
Examiner Name	S. Devi
Art Unit	1645
Attorney Docket No.	18528/230 235/013US

METHOD OF PAYMENT (check all that apply)
☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None
☒ Deposit Account:

Deposit Account Number	010535
Deposit Account Name	Amylin Pharmaceuticals

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

SUBTOTAL (1)

(\$ 0)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	43	Extra Claims	3	Fee from below	9	Fee Paid	27
Independent Claims	6				43		43
Multiple Dependent							

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$ 70)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for <i>ex parte</i> reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 0)

SUBMITTED BY

Name (Print/Type)	Mi K. Kim	Registration No. (Attorney/Agent)	44,830	Telephone	858-552-2200
Signature		Date	November 19, 2004		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (10-03)

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Deposit Account Name

010535

Amylin Pharmaceuticals

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SUBTOTAL (1) (\$) 0**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
43	20	3 x 9 = 27	
6	3	1 x 43 = 43	
Multiple Dependent			

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
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SUBTOTAL (2) (\$) 70

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

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Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 0**SUBMITTED BY**

Name (Print/Type)	MI K. Kim	Registration No. (Attorney/Agent)	44,830	Telephone	858-552-2200
Signature		Date	November 19, 2004		

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NOV 19 2004

PATENT
Atty Docket No. 18528/230 235/013US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. Serial No. : 09/445,517
Applicant : Duft *et al.*
Filed : December 6, 1999
TC/A.U. : 1645
Examiner : S. Devi
Title : **Methods for Treating Obesity**

Confirmation No.: 1018

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

Supplemental Amendment

Sir:

On June 2, 2004, a Notice Under 37 CFR 1.251 was mailed by the U.S. Patent and Trademark Office for the application referenced above. Applicants' representatives submitted a full response to the Notice on September 2, 2004. During the pendency of the application, the last substantive paper filed prior to the reconstruction in this case was an amendment filed by the Applicants in response to a non-final Office Action dated June 5, 2002. Applicants herewith submit a supplemental amendment.

Amendments to the Claims begin on page 3 of this paper.

CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office at 703-872-9306 on this 19th day of November 2004.

11/19/2004
Date of Deposit

Mi K. Kim
Name of Person Mailing Paper

[Signature]
Signature of Person Mailing Paper

USSN: 09/445,517
Amdt. Dated 11/19/04
Supplemental Amendment

Remarks/Arguments begin on page 19 of this paper.